

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11  
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DELPHI CORPORATION, et al., : Case No. 05-44481 (RDD)  
:  
Debtors. : (Jointly Administered)  
:  
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ORDER REGARDING AUTOMOTIVE TECHNOLOGIES INTERNATIONAL,  
INC.'S MOTION FOR RELIEF FROM AUTOMATIC STAY TO PROCEED  
WITH APPEALS OF PATENT LITIGATION

("AUTOMOTIVE TECHNOLOGIES ORDER")

Upon the motion, dated March 22, 2006 (the "Motion"), of Automotive Technologies International, Inc. ("ATI") for an order for relief from the automatic stay to proceed with appeals of patent litigation (Docket No. 2928); and upon the Debtors' objection to the Motion, dated April 5, 2006 (Docket No. 3114); and upon the record of the hearing held on the Motion; and after due deliberation thereon; and, for the reasons stated by the Court in its bench ruling, ATI having established sufficient cause for the sole and limited relief described in paragraph 2 of this order, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is GRANTED, in part, and DENIED, in part, as set forth herein.
2. The automatic stay of 11 U.S.C. § 362 shall be and hereby is modified for the following sole and limited purpose:



(a) ATI is hereby allowed to prosecute to decision the appeal captioned Automotive Technologies International, Inc. v. Delphi Corporation, case no. 05-1060, -1090, in the United States Court of Appeals for the Federal Circuit (the "ATI/Delphi Appeal").

ATI shall not be permitted to enforce any decision rendered in the ATI/Delphi Appeal; and

(b) To the extent the automatic stay applies in this instance, the parties in interest, including ATI and the Debtors, are hereby allowed to mediate the claims related to the appeal captioned Automotive Technologies International, Inc. v. BMW of North America, Inc. et al., case no. 06-1013, -1037, in the United States Court of Appeals for the Federal Circuit. ATI shall not be permitted to enforce against the Debtors any agreement reached during the mediation.

3. Except as provided in paragraph 2 of this order, the automatic stay remains in full force and effect for any other purpose.

4. ATI's rights to seek further relief from the automatic stay are preserved in full, and the Debtors reserve all rights to object to any further relief requested by ATI.

5. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

6. Notwithstanding the requirements under Bankruptcy Rule 4001(a)(3), good cause exists to have this Order become effective immediately upon entry.

Dated: New York, New York  
April 11, 2006

/s/ Robert D. Drain  
UNITED STATES BANKRUPTCY JUDGE